

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MAXUS LEASING GROUP, INC.,

Plaintiff,

v.

KOBELCO AMERICA INC., KOBELCO CONSTRUCTION
MACHINERY AMERICA
LLC, BROWNELL STEEL, INC., ALLAN J.
BENTKOFKY, CHAPTER 7 TRUSTEE FOR
SYRACUSE EQUIPMENT LEASING CO., INC.,
WELLS FARGO EQUIPMENT FINANCE, INC.
and SYRACUSE EQUIPMENT LEASING CO., INC.,

Defendants.

STIPULATION OF DISMISSAL

Civil Action No.:
04-CV-0518 (FJS/DEP)

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the action entitled *Maxus Leasing Group, Inc. v. Kobelco America, Inc., Kobelco Construction Machinery America, LLC, Brownell Steel, Inc., Allan J. Bentkofsky, Chapter 7 Trustee for Syracuse Equipment Leasing Co., Inc., Wells Fargo Equipment Financing, Inc., and Syracuse Equipment Leasing Co., Inc.*, Case No. 04 CV 0518 (FJS/DEP) be, and the same hereby, is discontinued with prejudice, insofar as it pertains to the claims between Maxus and Kobelco, and without costs to either party as against the other.

GREEN & SEIFTER, ATTORNEYS, PLLC

By: 

Kimberly M. Zimmer, Esq.

Bar Roll No. 505346

Attorneys for Plaintiff

Office and Post Office Address


One Lincoln Center, Suite 900

110 West Layette Street

Syracuse, New York 13202

Telephone: (315) 422-1391

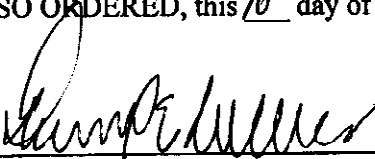
HISCOCK & BARCLAY, LLP

By: 
J. Eric Charlton, Esq.
Bar Roll No. 101331
Office and Post Office Address
One Park Place
300 South State Street
P.O. Box 4878
Syracuse, New York 13221
Telephone: (315) 422-2131

BLEAKLEY PLATT & SCHMIDT, LLP

Thomas G. Bailey, Jr., Esq.
Bar Roll No. 512769
Office Address
One North Lexington Avenue
White Plains, New York 10601
Telephone: (914) 683-6956

SO ORDERED, this 16th day of July, 2007


Hon. David E. Peebles
United States Magistrate Judge

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